

## **North Carolina Department of Public Instruction**

**October 16-20, 2006**

**Scope of Review:** A team from the Office of English Language Acquisition (OELA), U.S. Department of Education (ED) conducted an on-site review of the North Carolina Department of Public Instruction (NCDPI) the week of October 16-20, 2006. This was a comprehensive review of the NCDPI's administration of the following program authorized by the No Child Left Behind (NCLB) Act: Title III, Part A.

In conducting this comprehensive review, the ED team carried out a number of major activities. In its review of the Title III, Part A program, the ED team analyzed evidence of implementation of the State Title III accountability system, and reviewed compliance with Title III and other Federal fiscal and administrative requirements. During the on-site review, the ED team visited Wake County Public Schools and Charlotte-Mecklenburg Public Schools. In each of the school districts, the ED team interviewed administrative and teaching staff.

### **North Carolina Department of Public Instruction Participants:**

Elsie Leak, Associate Superintendent, Curriculum and School Reform Services  
Belinda Black, Education Program Administrator, Associate Superintendent's Office  
Louis M. Fabrizio, Director, Accountability Services  
Sarah McManus, Section Chief of Testing Policy and Operations, Accountability Services  
Chris Cobitz, Section Chief of Reporting, Accountability Services  
Jackie Colbert, Director, Division of Elementary Education  
Phillip Price, Associate Superintendent, Financial and Business Services  
Paul LeSieur, Director, School Business Services, Financial and Business Services  
Stephanie English, Section Chief, Monitoring and Compliance, Financial and Business Services  
Ken Barbour, Computing Consultant, Reporting, Accountability Services  
Fran Hoch, Section Chief, K-12 Program Areas, Division of Elementary Education  
Alesha McCauley, ESL Consultant, K-12 Program Areas, Division of Elementary Education  
Joanne Marino, ESL Consultant, K-12 Program Areas, Division of Elementary Education

### **Wake County Public Schools Participants:**

Dawn Dawson, Senior Director for State and Federal Programs  
Timothy Hart, Senior Administrator, ESL  
Trisha Posey, Administrator, Finance  
Phyllis Spencer, Director, Testing  
Marion Perkins, ESL Coordinating Teacher  
Val Pinkney, ESL Coordinating Teacher  
Edith Pierce, Senior Director, Evaluation and Research  
Phyllis Spencer, Director, Evaluation and Research

Cecelia Rawlins, Principal, Wiley International Elementary Magnet School  
Gailya Winters, Assistant Principal, A.B. Combs Leadership Magnet Elementary School  
Susan Cox, ESL Teacher, Jeffreys Grove Elementary School  
Amy Gilliam, ESL Teacher, Stough Elementary School  
Diane Bone, Title I Teacher, Stough Elementary School  
Ofelia Sherrill, ESL Teacher, Douglas Elementary School  
Luis A. Amezcuita, Parent, Douglas Elementary School  
Robin Swaim, Principal, Morrisville Elementary School  
Debbie Everett, Assistant Principal, Morrisville Elementary School  
Amanda Bunn, ESL Teacher, Morrisville Elementary School  
Alejandro García, Parent  
Sherry Bourne, First Grade Teacher, Morrisville Elementary School

**Charlotte-Mecklenburg Schools Participants:**

Jennifer Pearsall, ESL Specialist  
Kelly Price, Director, Title I  
Rich Purcell, Executive Director, Federal and State Compliance  
Sabrina Hafer, Resource Teacher, International Center  
Nadja Trez, Resource Teacher, Elementary LEP Curriculum  
Regina Boyd, Resource Teacher, ESL Literacy  
Katherine Meads, Director, Second Languages  
Muffet Garber, Associate Superintendent, Education Services  
Tekle Ayano, Executive Director, Assessment  
Betsy Anderson, Director, State Testing  
Sidonie Weber, Assessment Specialist  
Antony Dula, Resource Teacher, LEP Curriculum  
Marshall Foster, ESL Transition Teacher  
Ivanna Thrower, SIOP Coach  
Ruth Perez, Chief Academic Officer  
Linda Morris, Assistant Superintendent, Elementary Curriculum and Instruction  
Lisa Stickley, Regional Superintendent for Middle Schools  
Ann Clark, Regional Superintendent for High School  
Diana Bagwell, Acting Assistant Superintendent for High School  
Stan Frasier, Principal, Merry Oaks Elementary  
Raymond Lee, Principal, Martin Middle School  
Joan Rolston, ESL Counselor  
Amy Mirco, ESL Teacher, Northeast Middle School  
Chavanya Jeter, ESL Teacher, Mint Hill Middle School  
Jodee Boehm, Providence High School  
Holley Mayville, High School LEP Curriculum Resource Teacher  
Sheila Shirley, Chief Financial Officer  
Dennis Covington, Executive Director of Budget  
Tammy Bailey, Budget Analyst  
Maureen Furr, Principal, South Mecklenburg High School  
André Plaisance, Assistant Principal of Instruction, South Mecklenburg High School  
Jennifer Lowery, School Administrator, South Mecklenburg High School

Kathy Bricker, Testing Coordinator, South Mecklenburg High School  
Jacqueline Strickland, Counselor, South Mecklenburg High School  
Joan Lafleur, ESL Teacher and Department Chair, South Mecklenburg High School  
Angela Tapper, Mathematics SIOP Teacher, South Mecklenburg High School  
Olga Williams, Interpreter, South Mecklenburg High School  
Elio J. González, Interpreter, South Mecklenburg High School  
Elizabeth Palomino, Alexandra Mera, Betty Mera, Rossana I. González, and Keiji Yoshida, Parents, South Mecklenburg High School

**U.S. Department of Education Participants:**

Margarita Pinkos, Associate Assistant Deputy Secretary, OELA  
Margarita Ackley, Education Program Specialist, OELA  
Petraine Johnson, Education Program Specialist, OELA  
Seree Weroha, Education Program Specialist, OELA  
Ethan Raymond Allen, Senior Budget Analyst, OELA  
James Russell Robinson, Jr., Internal Control Evaluation Service, Office of the Chief Financial Officer

**Previous Audit Findings:** None

**Previous Monitoring Findings:** None. This was the first Title III monitoring visit.

## Summary of Title III, Part A Monitoring Indicators

State Submissions			
Element Number	Description	Status	Page
Element 1.1	State Submissions: Follow-up on areas identified through desk audit and document reviews	Reviewed	8
Fiduciary			
Element 2.1	Reservation of Funds: The SEA has a system in place that enables it to account for: (1) Funds reserved for State administration (2) Funds reserved to provide technical assistance and other State level activities (3) Funds reserved for immigrant activities, and (4) Funds that become available for reallocation	Fiscal Report Forthcoming	8
Element 2.2	Allocations, Reallocations, and Carryover: The SEA complies with— <ul style="list-style-type: none"> <li>• The procedures for Title III allocations outlined in Section 3114</li> <li>• The procedures for allocating funds for immigrant children and youth programs as outlined in Section 3114(d)</li> <li>• The reallocation provisions in Section 3114(c)</li> </ul>	Finding  Further Action Required	8
Element 2.3	Supplement not Supplant: The SEA ensures that Title III funds are used only to supplement or increase Federal, State, and local funds used for the education of participating children and not to supplant those funds	Fiscal Report Forthcoming	8
Element 2.4	Equipment and Real Property: The SEA ensures that equipment is procured at a reasonable cost and is necessary for the performance of the Federal award. Title III funds cannot be used to acquire real property	Fiscal Report Forthcoming	8

<b>ELP Standards, Assessments and Accountability</b>			
<b>Element Number</b>	<b>Description</b>	<b>Status</b>	<b>Page</b>
Element 3.1	English Language Proficiency (ELP) Standards: State English language proficiency standards have been developed, adopted, disseminated, and implemented	Reviewed	9
Element 3.2	ELP Assessments: ELP assessments have been administered to all LEP students in the State in grades K-12. Accountability through data collection has been implemented	Reviewed	9
Element 3.3	New English Language Proficiency Assessment: Transition to new ELP assessment or revision of the current State ELP assessment	Reviewed	9
Element 3.4	Annual Measurable Achievement Objectives (AMAOs): AMAOs have been developed and AMAO determinations have been made for Title III-served LEAs	Finding Further Action Required	9
Element 3.5	Data Collection: The State established and implemented clear criteria for the administration, scoring, analysis, and reporting components of its ELP assessments, and the State has a system for monitoring and improving the ongoing quality of its assessment systems. Data system is in place to meet all Title III data requirements, including capacity to follow Title III-served students for two years after exiting; State approach to following ELP progress and attainment over time, using cohort model	Reviewed Recommendation	10

<b>State Level Activities; LEA Authorized and Required Activities, Immigrant Children and Youth</b>			
<b>Element Number</b>	<b>Description</b>	<b>Status</b>	<b>Page</b>
Element 4.1	<p>State Level Activities: Using funds reserved for State level activities, the State carries out one or more activities that may include:</p> <ul style="list-style-type: none"> <li>• Professional development</li> <li>• Planning, evaluation, administration and interagency coordination</li> <li>• Promoting parental and community participation</li> <li>• Providing recognition to subgrantees that have exceeded AMAO requirements</li> </ul>	Reviewed  Commendation	11
Element 4.2	<p>Required Subgrantee Activities: The LEA/subgrantee is responsible for increasing the English proficiency of LEP students by providing high-quality language instructional programs and high quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instructional programs), principals, administrators, and other school or community-based personnel</p>	Reviewed	11
Element 4.3	<p>Authorized Subgrantee Activities: The LEA may use the funds by undertaking one or more authorized activities</p>	Reviewed	11
Element 4.4	<p>Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth: The subgrantee receiving funds under Section 3114 (d)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth</p>	Reviewed	12

<b>State Review of Local Plans</b>			
<b>Element Number</b>	<b>Description</b>	<b>Status</b>	<b>Page</b>
Element 5.1	Application: The SEA ensures that its LEAs comply with the provision for submitting an application to the SEA (Section 3116(a))	Reviewed Commendation	12
Element 5.2	Private School Participation: LEAs are complying with NCLB requirements regarding participation of LEP students and teachers in private schools under Title III	Reviewed	12
Element 5.3	Teacher English Fluency: Certification of teacher fluency requirement in English and any other language used for instruction (Section 3116(c))	Reviewed	12
<b>State Monitoring of Subgrantees</b>			
Element 6.1	Monitoring: The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title III program requirements	Reviewed Recommendation	13
<b>Parental Notification</b>			
Element 7.1	Parental Notification: Provisions for identification and placement and for failure to meet the AMAOs; notification in an understandable format (Section 3302)	Reviewed Recommendation	13

## State Submissions

### **Element 1.1- State Submissions**

Reviewed:

The North Carolina Department of Public Instruction (NCDPI) has submitted all reports required under Title III, Part A, and the Consolidated State Application to the U.S. Department of Education (USDE).

Citation: Section 3123; 34 CFR 80.40

## Fiduciary

### **Element 2.1 – Reservation of Funds**

Reviewed: Fiscal report forthcoming

Citation: Sections 3111, 3114, 3115, and 3116

### **Element 2.2 – Allocations, Reallocations, and Carryover**

Finding:

NCDPI awarded subgrants to eligible LEAs that had experienced substantial increases in immigrant children and youth only if said eligible LEAs had also been approved by the State to receive a subgrant for limited English proficient students (LEPs). During the monitoring visit, it was brought to NCDPI's attention that it had not distributed immigrant children and youth subgrants as required under Section 3114 (d). NCDPI assured the monitoring team that it would change its process for awarding immigrant children and youth subgrants as required.

Further action required: The NCDPI needs to award immigrant children and youth subgrants to eligible LEAs as required under Section 3114(d) regardless of whether the LEAs are eligible for funds under Section 3114(a).

Citation: Sections 3114 and 3115

### **Element 2.3 – Supplement not Supplant**

Reviewed: Fiscal report forthcoming

Citation: Section 3115(g)

### **Element 2.4 – Equipment and Real Property**

Reviewed: Fiscal report forthcoming

Citation: OMB A-87; EDGAR 76.533, 80.32



## **ELP Standards, Assessments, and Accountability**

### **Element 3.1 - ELP Standards**

#### **Reviewed:**

The NCDPI has developed and disseminated K-12 English language proficiency standards (*English Language Development Standard Course of Study - ELDSCS*). During the on-site review, it was evident that the ELP standards have been disseminated to all LEAs and are being implemented at the classroom level.

Citation: Sections 3113 and 3116

### **Element 3.2 - ELP Assessments**

#### **Reviewed:**

The NCDPI requires all LEAs to use the IDEA Proficiency Test (IPT) for the annual English language proficiency assessment in grades K-12. The State contracted with Ballard and Tighe, the publishers of the IPT, to customize the assessment and align it with the *ELDSCS*. This new standards-aligned version of the IPT became fully operational in North Carolina in SY 2006-2007.

Citation: Sections 3113 and 3116

### **Element 3.3 – New English Language Proficiency Assessment**

#### **Reviewed:**

See comments for Element 3.2.

Citation: Section 3113

### **Element 3.4 – Annual Measurable Achievement Objectives (AMAOs)**

#### **Finding:**

The State made AMAO determinations for school year 2005-2006, but at the time that the review was conducted, had not yet notified Title III subgrantees of their status. In NC, the annual AMAO report must be submitted to the State Board of Education for approval before subgrantees can be notified whether they met or did not meet the annual targets. The State was scheduled to submit the report to the State Board of Education in December 2006.

Further Action Required: The State must submit documentation to OELA by February 16, 2007 of the date(s) on which LEAs were provided notification regarding whether or not they met the 2005-2006 AMAO targets.

Citation: Section 3122

### **Element 3.5 – Data Collection**

**Reviewed:**

The NCDPI has established a data collection system, NCWISE, which will allow the State to collect and analyze data. The system is expected to be fully operational in all schools by 2008. In addition, each school in the State maintains a Student Information Management System (SIMS) to collect and maintain information such as membership, attendance, grades, and other pertinent information about each student.

**Recommendation:** The State should continue to improve its data collection system so that the NCWISE and SIMS systems are operationally compatible and also compatible with the USDE's EDFACTS (EDEN).

**Citation:** Sections 3113, 3121, and 3122

## **State Level Activities; LEA Authorized and Required Activities; Immigrant Children and Youth**

### **Element 4.1 – State Level Activities**

#### **Reviewed:**

The State carries out a significant number of activities related to implementation of Title III. These activities include coordination with NCDPI on issues such as teacher licensure requirements and data collection, professional development sessions related to the ELP standards and curriculum alignment, and technical assistance to subgrantees. The State operates two listservs, one for ESOL coordinators and one for ESOL teachers to ensure Statewide dissemination of information and guidance. Over 900 teachers are members of the teacher listserv.

#### **Commendation:**

The State's development and implementation of the North Carolina (NC) Guide to the SIOP Model is notable. This model incorporates SIOP methodology and protocols with the State's English language development standards. To ensure Statewide use of the NC Guide to the SIOP Model, the State has designed and implemented "train-the-trainer" institutes. Three institutes were held between July and August 2006.

Citation: Sections 3111

### **Element 4.2 – Required Subgrantee Activities**

#### **Reviewed:**

NCDPI has provided sufficient guidance to Title III subgrantees regarding the two required activities and the authorized subgrantee activities. Both Wake County Public Schools and Charlotte/Mecklenburg Public Schools provided evidence that Title III funds are being used to meet the professional development and language instruction educational program requirements under Section 3115(c).

Citation: Section 3115(c)

### **Element 4.3 – Authorized Subgrantee Activities**

#### **Reviewed:**

See comments for Element 4.2.

Citation: Section 3115(d)

#### **Element 4.4 – Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth**

Reviewed:

NCDPI provided records of the number of immigrant students being served by Title III subgrantees. In general, Title III funds are used to provide after school, before school and summer school programs for immigrant children and youth.

Citation: Section 3115(e)

### **State Review of Local Plans**

#### **Element 5.1 – State Review of Local Plans**

Reviewed:

The State requires eligible LEAs to submit annual applications for Title III funds. The applications are reviewed and approved by Title III staff.

Commendation:

The NCDPI requires consortia funded under Title III to use Title III funds to carry out goals by and for the entire group of LEAs that comprise each consortia, thereby resulting in a high level of collaboration and accountability among consortia members.

Citation: Section 3116

#### **Element 5.2 – Private School Participation**

Reviewed:

The NCDPI provided sufficient evidence that it ensures that LEAs meet the private school participation requirements. LEAs must address this requirement in the applications submitted to the State. The State also reviews LEA compliance with the private school participation requirements during on-site monitoring visits.

Citation: Section 9501

#### **Element 5.3 – Teacher English Fluency**

Reviewed:

The NCDPI has a system in place to ensure that LEAs employ teachers working in language instruction education programs who meet Title III teacher English fluency requirements. When completing their Title III application forms, LEAs must include detailed information about how they will satisfy the teacher English fluency requirements.

Citation: Section 3116(c)

## **State Monitoring of Subgrantees**

### **Element 6.1 – State Monitoring of Subgrantees**

#### **Reviewed:**

The NCDPI has an established State monitoring system that includes both on-site monitoring and desk audits. All LEAs and charter schools receiving Title III funds were monitored once every three years. Beginning with SY 2006-2007, Title III monitoring became part of a comprehensive monitoring system that includes other federal programs under NCLB. As a result, all Title III subgrantees are now on a five-year monitoring cycle.

#### **Recommendation:**

It is highly recommended that during the monitoring of LEAs, qualified staff knowledgeable regarding Title III requirements participate in the comprehensive site visits, and that such staff be included in the development of the monitoring schedule so that Title III priorities can be considered and included in the schedule.

Citation: Sections 3113 and 34 CFR 80.40

## **Parental Notification**

### **Element 7.1– Parental Notification**

#### **Reviewed:**

The NCDPI submitted evidence of an established procedure for ensuring that LEAs issue parental notification letters as required under Section 3302. The State subscribes to a Web-based translation library, TransACT, to which LEAs subscribe in order to download and prepare parental notification forms that meet Title III requirements.

#### **Recommendation:**

It was observed during the site visit that some parents of LEP high school students were not knowledgeable or had not been well informed about graduation requirements. It is recommended that the State develop and disseminate additional guidance to ensure that LEAs provide parents with all of the information required under Section 3302, and in particular 3302(a)(5)-(6) that address grade promotion, exit, and graduation requirements for all students K-12.

Citation: Section 3302